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| 09/874,410      | 06/04/2001  | Shell S. Simpson     | 10007651-1          | 5595             |

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| EXAMINER |
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SHINGLES, KRISTIE D

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| ART UNIT | PAPER NUMBER |
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2141

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04/25/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |  |                                       |  |
|------------------------------|--|---------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/874,410   | <b>Applicant(s)</b><br>SIMPSON ET AL. |  |
|                              | <b>Examiner</b><br>KRISTIE D. SHINGLES | <b>Art Unit</b><br>2141               |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-14 and 17-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-14 and 17-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

**Response to Amendments**

Claims 17 and 19-21 have been amended.  
Claims 10, 15, 16 and 22-24 have been cancelled.

Claims 1-9, 11-14 and 17-21 are pending.

**Response to Arguments**

**I.** Applicant's arguments with respect to claims 1, 14 and 17 have been considered but are moot in view of the new ground(s) of rejection.

**37 CFR 1.131 - AFFIDAVIT/DECLARATION**

**II.** The declaration filed on February 4, 2008 under 37 CFR 1.131 has been considered sufficient to overcome the effective date (May 30, 2001) of the *Pineau* reference.

**Claim Rejections - 35 USC § 103**

**III.** The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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**IV. Claims 1-9, 11-14, 17-19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Adamske et al* (US 6,615,234) in view of *Alvin et al* (US 7,231,367).**

**Regarding claim 1,** *Adamske et al* teach a system for preparing imaging data for printing to a requested web service from an application loaded on a user's computing device, comprising:

- an imaging client computer having a web browser for printing from the application to the requested web service (*col.3 lines 51-55*);
- an imaging repository for storing imaging data comprising digital data capable of being represented as two dimensional graphics that is to be accessed by the requested web service (*col.2 lines 8-16 and 19-22, col.3 lines 64-67, col.5 line 65-col.6 line 8, col.7 lines 4-9 and 16-27*);
- a capture driver for preparing the imaging data for transfer to said imaging repository (*col.3 lines 56-61, col.6 lines 34-39*), said capture driver further comprising:
- a printer driver for converting the imaging data into a predefined format suitable for printing to a peripheral device (*col.3 lines 56-61, col.6 lines 34-39*);
- an uploader mechanism for storing the imaging data into said imaging repository (*col.3 lines 51-55, col.5 lines 15-16*); and,
- a conversion mechanism for converting the imaging data into the default format of the imaging repository (*col.2 lines 8-16, col.6 lines 5-8*).

*Adamske et al* fails to teach a personal imaging repository associated with a particular user for storing imaging data, and wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services on the Internet; and a port monitor for directing the imaging data to said personal imaging repository. However, *Alvin et al* teach a personal imaging repository of a cellular camera telephone associated with a particular user provided by the telecommunications service provider, for storing imaging data comprising digital data capable of being represented as two dimensional graphics in a thumbnail index print of the digital imaging data that is to be accessed by the requested web service, and

wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services on the Internet (*col.2 lines 18-28, col.2 line 59-col.3 line 9, col.3 lines 31-66, col.4 lines 3-44*); a port monitor for directing the imaging data to said personal imaging repository (*col.3 lines 48-66*).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system and method for network based document delivery of *Adamske et al* with *Alfvin et al* by having a personal imaging repository associated with a particular user for storing imaging data, and wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services on the Internet; and a port monitor for directing the imaging data to said personal imaging repository because a personal repository that is an exchange infrastructure allows a user to access said personal image data from anywhere at anytime and having a port monitor for directing the imaging data to said personal imaging repository because the port monitor is used to transfer information and for the verification of information.

**Regarding claim 14,** *Adamske et al* teach a computer for preparing imaging data for printing from an application to a requested web service, comprising:

- a web browser for printing to the requested web service (*col.3 lines 51-55*);
- an imaging repository for storing imaging data comprising digital data capable of being represented as two dimensional graphics that is to be accessed by the requested web service (*col.2 lines 8-16 and 19-22, col.3 lines 64-67, col.5 line 65-col.6 line 8, col.7 lines 4-9 and 16-27*),
- a capture driver for preparing said imaging data for transfer to said imaging repository (*col.3 lines 56-61, col.6 lines 34-39*), said capture driver further comprising:

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- a printer driver for converting the imaging data into a predefined format suitable for printing to a peripheral device (*col.3 lines 56-61, col.6 lines 34-39*);
- an uploader mechanism for storing the imaging data into said imaging repository (*col.3 lines 51-55 and col.5 lines 15-16*); and,
- a conversion mechanism for converting the imaging data into the default format of the imaging repository (*col.2 lines 8-16 and col.6 lines 5-8*).

*Adamske et al* fails to teach a personal imaging repository associated with a particular user for storing imaging data, and wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services on the Internet; and a port monitor for directing the imaging data to said personal imaging repository. However, *Alfvín et al* teach a personal imaging repository of a cellular camera telephone associated with a particular user provided by the telecommunications service provider, for storing imaging data comprising digital data capable of being represented as two dimensional graphics in a thumbnail index print of the digital imaging data that is to be accessed by the requested web service, and wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services on the Internet (*col.2 lines 18-28, col.2 line 59-col.3 line 9, col.3 lines 31-66, col.4 lines 3-44*); a port monitor for directing the imaging data to said personal imaging repository (*col.3 lines 48-66*).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system and method for network based document delivery of *Adamske et al* with *Alfvín et al* by having a personal imaging repository associated with a particular user for storing imaging data, and wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services on the Internet; and a port monitor for directing the imaging data to said personal imaging repository because a

personal repository that is an exchange infrastructure allows a user to access said personal image data from anywhere at anytime and having a port monitor for directing the imaging data to said personal imaging repository because the port monitor is used to transfer information and for the verification of information.

**Regarding claim 2,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 1, *Alfvin et al* further teach wherein said imaging client computer further comprising user information for associating the user with said personal imaging repository (*col.4 lines 50-59, col.5 lines 43-67, col.6 lines 1-38; Adamske et al—col.7 lines 4-9 and 16-27*).

**Regarding claim 3,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 2, *Adamske et al* further teach wherein said user information is accessed through an extension component of said web browser (*col.7 lines 4-9 and 16-27; Alfvin et al— col.4 lines 50-59, col.5 lines 43-67, col.6 lines 1-38*).

**Regarding claim 4,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 1, *Adamske et al* further teach wherein said personal imaging repository stores the imaging data in a plurality of file formats (*col.5 line 65-col.6 line 8, col.7 lines 4-9 and 16-27*).

**Regarding claim 5,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 1, *Alfvin et al* further teach wherein said personal imaging repository comprises an imaging data store for storing imaging data (*col.3 lines 28-39, col.5 lines 43-55; Adamske et al—col.5 line 65-col.6 line 8, col.7 lines 4-9 and 16-27*).

**Regarding claim 6,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 5, *Alfvin et al* further teach wherein said imaging data store is assigned to the user associated with said personal imaging repository for storing imaging data for user usage (*col.3 lines 28-39,*

*col.4 lines 38-39, col.5 lines 43-55; Adamske et al—col.5 line 65-col.6 line 8, col.7 lines 4-9 and 16-27).*

**Regarding claim 7,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 5, *Adamske et al* further teach wherein said imaging data store is assigned to a web service for storing imaging data available to the public (*col.5 line 65-col.6 line 8, col.7 lines 4-9 and 16-27; Alfvin et al—col.3 line 56-col.4 line 7, col.4 lines 32-43*).

**Regarding claim 8,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 1, *Alfvin et al* wherein said personal imaging repository comprises a composition store for storing imaging compositions of imaging data serviced as a single unit (*col.3 line 56-col.4 line 7, col.4 lines 32-43; Adamske et al—col.5 line 65-col.6 line 8, col.7 lines 4-9 and 16-27*).

**Claim 17** is substantially equivalent to claim 8 and is therefore rejected under the same basis.

**Regarding claim 9,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 8, *Adamske et al* further teach wherein said imaging composition further comprising a link reference for each imaging data (*col.5 line 65-col.6 line 8, col.7 lines 4-9 and 16-27*).

**Regarding claim 11,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 1, *Adamske et al* further teach wherein said predefined format suitable for printing is page description language (*col.2 lines 10-14*).

**Regarding claim 12,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 11, *Adamske et al* further teach wherein said predefined format suitable for printing is any one from the group consisting of: Postscript Format; Printer Control Language; and, Hewlett Packard Graphics Language (*col.2 lines 10-14*).



**Regarding claim 13,** *Adamske et al* with *Alfvin et al* teach the system as defined in claim 1, *Adamske et al* further teach wherein said default format of said personal imaging repository is any one from the group consisting of: Joint Photographic Experts Group Format; Graphics Interchange Format; Portable Network Graphics Format; Tagged Image File Format; Portable Document Format; and, Microsoft Windows bitmap format (*col.5 line 65-col.6 line 8*).

**Regarding claim 18,** *Adamske et al* with *Alfvin et al* teach the method according to claim 17, *Adamske et al* further teach wherein prior to said step of transferring the imaging data further comprising the steps of: directing the imaging data to the operating system by the application; and, directing the imaging data to the printer driver by the operating system (*col.3 lines 50-63; Alfvin et al—col.4 lines 3-43*).

**Regarding claim 19,** *Adamske et al* with *Alfvin et al* teach the method according to claim 17, *Adamske et al* further teach wherein prior to said step transferring the imaging data further comprising the steps of: determining whether the imaging data is in a predefined format suitable for printing to a peripheral device; converting the imaging data to the predefined format when the imaging data is not in the predefined format; and, directing the imaging data in the predefined format to the operating system (*col.2 lines 8-16*).

**Regarding claim 21,** *Adamske et al* with *Alfvin et al* teach the method according to claim 17, *Adamske et al* further teach wherein prior to said step of transferring the imaging data further comprising the step of converting the imaging data into a default format of the imaging data store (*col.2 lines 8-16*).

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- V. **Claim 20** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Adamske et al* (US 6,615,234) in view of *Alfvin et al* (US 7,231,367) in further view of *Stewart et al* (US 6,714,964).

Regarding claim 20, *Adamske et al* teach the method according to claim 19 wherein said step of directing the imaging data further comprising the steps of: converting the imaging data in the predefined format to a default format of the imaging data store (*col.2 lines 8-16*). Yet, *Adamske et al* does not teach directing the imaging data in the predefined format to the port monitor; receiving the imaging data in the predefined format by the port monitor. However, *Stewart et al* teach directing the imaging data in the predefined format to the port monitor; receiving the imaging data in the predefined format by the port monitor (*col.5 lines 42-56, col.5 line 65-col.6 line 7 and col.6 lines 20-22*). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system and method for network based document delivery of *Adamske et al* and *Alfvin et al* with *Stewart et al*'s system by directing the imaging data in the predefined format to the port monitor; receiving the imaging data in the predefined format by the port monitor because the port monitor is used to transfer information and for the verification of information.

### Conclusion

VI. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. Baldino (7007243), Wolcott et al (7158945), Anderson et al (7107516), McIntyre et al (7019862) and (6950800), Prabhu et al (7019778), Fredlund et al (6812962), Shih et al (6674923).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**VII.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie D. Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Kristie D. Shingles*  
*Examiner*  
*Art Unit 2141*

*kds*  
/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2144